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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/873,144	06/01/2001	Erik K. Jurvis	25039A	3286

22889 7590 06/10/2003

OWENS CORNING
2790 COLUMBUS ROAD
GRANVILLE, OH 43023

EXAMINER

HORTON, YVONNE MICHELE

ART UNIT	PAPER NUMBER
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3635

DATE MAILED: 06/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/873,144

Applicant(s)
ERIK JURVIS ET AL.

Examiner
YVONNE M. HORTON

Art Unit
3635



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Apr 7, 2003
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6-13, and 15-18 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-13, 15, and 16 is/are allowed.
- 6) ☒ Claim(s) 1-4, 6, 7, and 17 is/are rejected.
- 7) ☒ Claim(s) 8-10 and 18 is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1-4,6 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent #5,586,422 to HOFFNER. Regarding claim 1, HOFFNER discloses a component (28) for covering a wall (30); wherein, the component includes having an elongated outwardly bowed body (B), and first and second U-shaped receivers (29) projecting “substantially” 180 degrees on opposing sides of the body (B) for receiving siding member (21) therein, see the marked attachment. Each U-shaped receiver (29) includes a first wall- the bottom of the receiver channel (colored red in the marked attachment) for at least partially covering the end of the siding member (21). In reference to claim 2, in the system of HOFFNER, the siding member (21) includes an integral fastener section (24). Regarding claim 3, the bowed portion (B) is integral with the receivers (29). In reference to claim 4, the siding member (21) has a color and texture (indicia) to simulate a log, column 2, lines 46-49 and the component (28) “generally” matches the siding member, column 3, lines 28-31. Hence, inherently, the component also has a color and texture (indicia) to match a log. Regarding claim 6, the receiver (29) includes an end wall- the sides of the receiver channel (colored blue in the marked attachment). In reference to claim 7, the end walls (colored blue) are substantially parallel.

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3. Claim 17 is rejected under 35 U.S.C. 102(b) as being anticipated by US Patent #5,586,422 to HOFFNER. HOFFNER inherently discloses the method for installing a plurality of siding members (14) including the steps of providing an elongated component (28) having an outwardly bowed body (B), see the marked attachment, first and second receivers (29) extending at 180 degrees in opposing directions, and a first wall (colored red in the marked attachment); vertically orienting an elongated component (28); inserting the first end of the plurality of siding members (21) into one of a first or second receiver (29); inserting a second end of the plurality of siding members (21) into one of a first or second receiver (29); and affixing the siding members to the wall (30) of a building.

Allowable Subject Matter

4. Claims 8-10 and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. Claims 11-13,15 and 16 are allowed.

6. The following is a statement of reasons for the indication of allowable subject matter:

the prior art of record fails to teach the use and method of installing a plurality of siding strip on a wall with by using a bowed component having first and second U-shaped receiving sections projecting on opposing sides of the body; wherein the component further includes a fastener receiving section.

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Response to Arguments

7. Applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yvonne M. Horton whose telephone number is (703) 308-1909.

A handwritten signature in black ink, appearing to read 'YMH', is positioned above the typed name of the examiner.

Yvonne M. Horton
Patent Examiner
Art Unit 3635
June 9, 2003



US005586422A

United States Patent [19]**Hoffner**[11] **Patent Number:** **5,586,422**[45] **Date of Patent:** **Dec. 24, 1996**[54] **LOG ILLUSION VINYL LOG SIDING**[76] **Inventor:** Terrell W. Hoffner, 3128 Indian Rd.,
Davenport, Iowa 52802[21] **Appl. No.:** 491,391[22] **Filed:** Jun. 16, 1995[51] **Int. Cl.⁶** E04B 1/10[52] **U.S. Cl.** 52/529; 52/233; 52/519;
52/546[58] **Field of Search** 52/233, 519, 529,
52/536, 539, 546[56] **References Cited****U.S. PATENT DOCUMENTS**

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Primary Examiner—Wynn E. Wood
Attorney, Agent, or Firm—Henderson & Sturm

[57] **ABSTRACT**

Siding having members which give the structure to which they are attached the illusion of construction from wooden logs. Other accommodating features, such as half and quarter panels, allow attachment to a building having commonplace irregularities, for example, doors and windows. The structures disclosed herein also provide for the inclusion of additional insulation, for attachment of the siding members to each other, and for attaching the siding to a building.

6 Claims, 3 Drawing Sheets